

**KENTUCKY BOARD OF EDUCATION
REGULAR MEETING
JANUARY 5, 2005**

**STATE BOARD ROOM
1ST FLOOR, CAPITAL PLAZA TOWER
FRANKFORT, KENTUCKY**

SUMMARY MINUTES

The Kentucky Board of Education held a regular meeting on January 5, 2005, in the State Board Room, First Floor, Capital Plaza Tower, Frankfort, Kentucky. The Board conducted the following business:

Wednesday, January 5, 2005

CALL TO ORDER

Board Chair Keith Travis called the meeting to order at 9:03 a.m.

ROLL CALL

Present for the meeting were Janice Allen, Dorie Combs, Bonnie Lash Freeman, Jeff Mando, Helen Mountjoy, Hilma Prather, David Rhodes, David Tachau, Keith Travis, Janna Vice and David Webb. Absent from the meeting was Tom Layzell.

DISCUSSION AND POSSIBLE APPROVAL OF WRITING ASSESSMENT IMPROVEMENTS

Board Chair Keith Travis indicated that Board members had the agenda and meeting materials to review during the holiday break. He noted that the meeting is scheduled to end at 3:00 p.m. but reminded members that at 2:00 p.m. David Tachau would discuss the achievement gap of students with disabilities. Travis then noted that in today's meeting materials, Attachment A is a summary of the agreements the Board has reached on the writing assessment improvements and Attachment B contains the decisions that need to be dealt with at today's meeting.

Commissioner Wilhoit then took some time summarizing a chart that showed where the Board stands in the process of moving toward the new Request for Proposals and next testing contract. He indicated that the items on the chart in green are items from the current testing contract and items in red are those affected by the new contract that will be awarded through the new Request for Proposals process. He then made the following points about the chart:

- Kentucky administers tests in the spring and this will continue to occur under the current contract. This leads to reports being issued to schools and districts in

August for *No Child Left Behind* purposes and early October for CATS accountability.

- Then, in April of 2006, the last administration of the state test under the current contract will occur with reports again going to schools and districts in August for *No Child Left Behind* purposes and early October for CATS accountability.
- The current contract closes in September 2006 and thus, we must have the new test ready to go for the spring of 2007. Work will actually start on the new contract in July of 2006. We will have to make a commitment to someone in January 2006 for the development work. To get ready for January 2006, by September/October 2005, we must have responses/negotiations completed on the new Request for Proposals. The Department is targeting April 2005 to release the Request for Proposals.
- The February Board meeting will be an important conversation beyond the writing assessment for any other changes the Board desires to make to the test.
- The Core Content review will be completed in June 2005.

The Board then moved on to consider each item listed on Attachment B, which represented the remaining policy decisions the Board must make related to the assessment of writing. A summary of the discussion is found below:

Policy Questions: Accountability Years

- At which accountability year should the writing portfolio be assessed?
- At which accountability year should on-demand writing be assessed?
- At which accountability year should the conventions of writing be assessed through multiple-choice items?

Discussion: Accountability Years

Associate Commissioner Starr Lewis summarized the content of the chart in the accountability years section:

- The three models offered in this section reflect all of the previous discussion by the Board on improvements to the writing assessment.
- Consideration of the importance of spreading writing across the grade levels is reflected.
- Staff had to look at the impact across the whole system.
- In the eleventh grade, there was a lot of pressure on these students and teachers with the previously recommended model that had to be reconsidered.
- Staff recommends the third option on page 3 of Attachment B that would assess the writing portfolio at grades 4, 7 and 12. It would assess the on-demand writing

in grades 5, 8 and 12 and assess the conventions of writing through a multiple-choice assessment at grade 10.

Policy Questions: Writing Portfolio, Number of Entries

- How many writing entries should be in the elementary portfolio?
- How many writing entries should be in the middle level portfolio?
- How many writing entries should be in the high school portfolio?

Discussion: Writing Portfolio, Number of Entries

Associate Commissioner Starr Lewis indicated that the Kentucky Department of Education staff recommends three entries for the portfolio at the elementary level. She noted this concurs with the National Technical Advisory Panel for Assessment and Accountability's advice. The types of pieces would be one reflective, one literary/expressive and one transactive, Lewis commented, and she pointed out there would be no content area requirement.

Concern was expressed by several Board members about giving up the content area requirement. Additional concern was expressed over whether fourth grade students were able to produce a reflective piece and it was noted that if the Board requires this it should be supported by research.

The point of whether to offer choices in the portfolio was raised. However, the point was raised that when the Board met with the National Technical Advisory Panel for Assessment and Accountability (NTAPAA), their advice was to minimize choice, limit the number of pieces for an individual to 3 or 4, or if the accountability is based on the school it could be one piece. It was clarified that the National Technical Advisory Panel for Assessment and Accountability has always said that 3 to 4 portfolio pieces are needed from an individual to be reliable and valid.

Commissioner Wilhoit emphasized that we do have to have a system that is valid and reliable but noted we must also look at the impact on schools. He stated that the system must teach students to be better writers and if there is only one sample of a student's writing, it does not support high quality instruction for all students.

The consensus of several members was that they would not want to see less than 3 pieces at the elementary level for the portfolio.

Associate Commissioner Starr Lewis shared that Gerry Lunney from the Office of Education Accountability pointed out some clarification on NTAPAA's comments relative to the fact that no choice should be given of genre on writing in the assessment and also that in the discussion of 20 entries versus one entry, this was related to on-demand and not the portfolio.

At this point, Board Chair Travis asked for those members in favor of three portfolio entries at the elementary level to raise their hand. All members except one showed their support of three pieces at the elementary level.

Associate Commissioner Starr Lewis said that at the middle school level, there's a different level of maturity to consider. She explained that at this level, the Department staff recommends three entries in the portfolio with at least one content area requirement. The pieces would be one reflective, one literary/expressive and one transactive. Lewis pointed out that this concurs with NTAPAA's recommendation.

At this point it was stated by a member that he thought the vote on these recommendations would occur at the end of the discussion. He expressed concern that the Board does not have adequate information on which to base the decisions and said that formal advice from the Office of Education Accountability had not been sought.

Board Chair Keith Travis indicated the Board was not taking a final vote but said that staff needed consensus on what the direction is that they need to pursue to prepare a proposal for the Board to vote on in February. He then moved on to ask if there was consensus on the middle school proposal on the number of entries in the portfolio and the majority of the Board agreed.

Relative to high school, Associate Commissioner Starr Lewis noted that four entries are recommended with one being reflective, one literary/expressive and two transactive. She noted that this allows assessment required in core content and also allows the requirement of a transactive piece.

Concern was expressed about requiring a literary piece at the high school level because students are not required to write poems or short stories in college. Staff responded that a choice of literary or expressive is given so that those not strong in literary can choose the other genre.

Board Chair Keith Travis indicated that staff will need to communicate with the Office of Education Accountability on this proposal to get formal input for the Board by the February meeting. He then asked if there was consensus on the high school approach and the Board agreed.

Policy Questions: Scoring

- How should writing be scored?
- Should it be holistically, analytically or through a modified analytical scoring method?

Discussion: Scoring

Associate Commissioner Starr Lewis indicated that the Department of Education's recommendation is for a modified analytical method for the portfolio and analytical for the on-demand. She stated that the analytical method will give additional feedback to

teachers when the on-demand is scored. For the portfolio, a modified analytical method will be used so that teachers can have an idea overall and on specific traits of how students performed.

A question was asked as to whether this scoring proposal is similar to the one used in Kansas and Associate Commissioner Starr Lewis replied affirmatively. Staff was then asked to get feedback from practitioners in Kansas on this method of scoring by the February meeting.

Comments were made by a Board member that there is a need to defer to the experts on the scoring model and let staff make a recommendation. Support for the analytical method was expressed by others because the inter-rater reliability will increase and also tremendous instructional implications exist.

Another member expressed concern about moving to a different scoring method because of the additional training it will take to learn a different method. It was emphasized that it has taken us 14 years to get to the level of expertise in scoring using the holistic method and to change will require a huge amount of training at an additional cost.

The question was raised as to whether Kentucky will adopt a set scoring model or construct its own. Commissioner Wilhoit replied that staff will analyze what other states are doing plus examine research and then come up with a rubric. He said that we hope to have a rubric for teachers to use next time in a parallel fashion with the current rubric.

Policy Questions: Performance Levels

- How many performance levels should there be?
- Should Kentucky keep the performance levels at 4 or expand to 6?

Discussion: Performance Levels

Associate Commissioner Starr Lewis indicated that Department staff is recommending going to 6 performance levels in order to match what is done in other content areas. The Board reached consensus to support this recommendation.

Policy Questions: School Level Scoring and Regional Level Scoring

- Should Kentucky continue to score their writing portfolio at the school level?
- Should the writing portfolio be scored at a regional level?

Discussion: School Level Scoring and Regional Level Scoring

Starr Lewis indicated that the staff recommendation is to continue scoring at the school level but in conjunction with the use of regional scoring as part of the audit.

A question was raised as to whether options would still exist on the method of scoring used at the school level. Commissioner Wilhoit responded that at the school level the issue of rater reliability is the major issue.

Associate Commissioner Starr Lewis indicated that one large district does not use double-blind scoring because cost is a factor. She explained that double-blind scoring is the most expensive but is also the most reliable. Lewis noted that another method is using teachers to score a set of portfolios and only the ones where questions exist are read by another. She said the least expensive way is the reading by one reviewer only.

Several Board members said that it was time to clear up any misunderstandings about scoring. Support for identifying the exact method to use in scoring was expressed because it would provide uniformity, would ensure that a teacher does not score portfolios of a student he/she has primary responsibility for and would specify the double-blind method.

The question was raised as to the Program Review study on assessment that was done by the legislature and KDE's response to that study. Commissioner Wilhoit indicated that the Department did testify before that committee and gave the Department's response. He said that the Department is not bound to comply with everything in the study and stated the study plus the Department's latest response would be sent to the Board.

It was once again brought up that in-school scoring costs a lot of money and that analytical scoring will cost more. A suggestion was made that if a way could be found not to have an overall switch in scoring methods, it would be advantageous.

Another concern was expressed as to whether Kentucky can afford the new scoring method and whether it is too ambitious. However, it was emphasized that we must move to what is best instructionally and the fact that local scoring is part of the reliability and validity.

Commissioner Wilhoit indicated that staff will look at the cost estimates for the double-blind scoring and come back with a recommendation based on what can be afforded and produce good instructional results. Still another viewpoint was the preference to have regional scoring for all portfolios. However, the cost of this method was characterized prohibitive. The view was expressed that there are ways to address concerns on inappropriate practices in the Code of Ethics revision.

To summarize the discussion on scoring at the school level and at the regional level, Board Chair Keith Travis said that the methodology was accepted by the Board and he directed that staff should come back in February with the additional information that was requested.

Policy Questions: Weighting

- How should the components of the writing assessment be weighted?

- Should they be weighted differently at the elementary level, middle school level and the high school level or the same?

Discussion: Weighting

Associate Commissioner Starr Lewis indicated staff recommends a 50/50 weighting model at all grade levels. She emphasized that the goal is to emphasize producing independent writers and also send a message to those spending an inordinate amount of time on portfolios.

The issue was raised as to why a 50/50 recommendation was made rather than 25/75 or some other configuration. Associate Commissioner Lewis said the recommendation was based on research, the consensus from the Writing Advisory Committee and trying to support what staff knows about good instruction. She noted that staff is striving to present a balanced view.

It was requested that if on-demand is weighted more equally that staff needs to highly scrutinize the appropriateness of the prompts.

It was then asked if the on-demand will still be scored by the vendor and Associate Commissioner Starr Lewis responded affirmatively.

Next, Associate Commissioner Starr Lewis clarified that there will still be a choice of two prompts for the on-demand that will come from the same genre. Some members emphasized the need to confirm that the prompts are of equal difficulty and offer the opportunity to score well on either, with advice from NTAPAA.

Commissioner Wilhoit brought the writing discussion to a close and said that in February, staff will bring back a document that will contain a proposal for improvements in the writing assessment for approval by the Board. He assured Board members that this document will be sent to the Office of Education Accountability, NTAPAA and SCAAC for reactions.

Before leaving the assessment area, it was pointed out that a news release from “Quality Counts” has given Kentucky an ‘A’ in the standards and assessment area for the last three years. Staff was asked to order Quality Counts for all Board members.

The Commissioner then gave out his schedule of upcoming school visits and invited members to join him on any where their schedules permit. He asked members to let Mary Ann Miller know if they are going to a visit so that the agenda and directions can be forwarded to them.

DISCUSSION OF ACHIEVEMENT GAP AMONG STUDENTS WITH DISABILITIES

KSB/KSD Committee Chair David Tachau reported that some states have opted out of holding schools accountable for students with disabilities relative to the *No Child Left Behind Act* due to the high 'n' counts that were set. He stated that Kentucky chose not to take this approach. Tachau said that he is on the Commissioner's Equity Committee, which brought his attention to the issue of what the state is doing for the 83,000 students that are not at KSB/KSD. He said that this fact dove-tails with looking at the scores at the two schools and what they have done to turn achievement around. Tachau reported that all of the work in the staff note comes from Associate Commissioner Johnnie Grissom and her staff. He noted that no more than 20 percent of students with disabilities have cognitive impairments that affect their academic performance. Therefore, he indicated this leaves 80 percent of them where there is no explanation of why the gap is occurring. Tachau said that he had been talking with the Commissioner and Dr. Grissom on how to turn the problem around. Tachau then pointed out that over-identification of minority students is an issue and stated that on pages 3 and 4 of the staff note, thirteen issues for the Board's consideration are listed. He said his Committee does not have an agenda of which of these issues to tackle first nor does he have the expertise to determine this. Tachau expressed appreciation of time on the agenda to examine the issues.

Associate Commissioner Johnnie Grissom emphasized that this is a very loaded topic. She said that the Board would need to consider myths, common beliefs and cultural differences in the area of achievement gaps of students with disabilities. She stated that she can bring the Board schools and districts that have closed the gap from both high and low performing schools. She emphasized that most of these students can think, reason and do typical abstractions there being no reason for the severe gap. However, Grissom noted this is not what people believe and think.

Next, Board Chair Keith Travis explained that David Tachau had raised the question of the achievement gap for students with disabilities as the chair of the KSB/KSD Committee. He noted that Tachau suggested to expand the role of his Committee to focus on achievement gaps, specifically for students having disabilities. Travis wanted to know if other Board members were in agreement with expanding the role of the KSB/KSD Committee.

Hilma Prather said she initially had concerns about expanding the role of the Committee because it might take away from the work and focus on KSB and KSD. However, she felt that now KSB and KSD can serve as lab situations for the rest of the state. Prather suggested that the NASBE study on achievement gaps could provide a structure for guiding the work in Kentucky and suggested that staff review the study.

Helen Mountjoy expressed that initially she thought this would take away from the work of the Curriculum Committee; however, she noted that the Curriculum Committee's plate is full. She felt that the work with KSB and KSD is entering into new phase and said it is timely to deal with the gap among students with disabilities. Mountjoy commented that

this work would benefit disabled students and also would lay the groundwork when the Board does have to make the regulation changes required by the IDEA authorization.

Dorie Combs commented that this is a snapshot of a bigger picture. She felt that information would need to be gathered for the full Board and then it would have to be figured out how to divide the work up. Combs felt the best place to start is to hear from schools that have figured out how to close the gap.

Bonnie Lash Freeman emphasized that the area of achievement gap overall is a concern to her. She noted that the discussion opens up the door to all subpopulations and she would like to see this on the table. Freeman stated that she would also like to see what successful schools are doing and what successful strategies exist. Then, she indicated that the issues could be divided up as appropriate.

David Tachau commented that the Committee will need to do some information sessions because there is a learning curve for most Board members. He recommended that the next couple of sessions be devoted to information gathering and helping staff know what the Board wants to hear about.

Janice Allen emphasized that the gap is bigger than just special education.

Dorie Combs shared that in April the Board is scheduled to hear from the gap coordinators about the bigger picture. She thought that students with disabilities might need to be another featured topic. Combs wanted to look at some statistics on the kinds of classrooms in which students with special needs are placed. She also wanted to know how many special education teachers are available in Kentucky and how many are assigned.

Commissioner Wilhoit felt that the national study by NASBE cited by Hilma Prather could serve as the framework for Kentucky's plan of work to address the achievement gap.

Board Chair Keith Travis then charged the Committee with formulating an approach to addressing the achievement gap by May so that it can be considered at the Board's retreat.

ADJOURNMENT

Helen Mountjoy moved to adjourn and Jeff Mando seconded the motion. The motion carried.